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11. The sum of \$7,500 is hereby appropriated for the use of the State board of health in enforcing the provisions of this act, and said board is authorized to employ such chemists, bacteriologists, and inspectors, and to purchase such apparatus and supplies, including a suitable boat, as they may deem necessary: *Provided*, That no part of the sum hereby appropriated shall become available until the amount thereof has been included in either a supplemental or regular appropriation bill.

12. An act entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (Revision of 1907),' approved March 20, 1907," approved April 15, 1911, and an act entitled "A further supplement to an act entitled 'An act for the preservation of clams and oysters,' approved April 14, 1846," approved April 21, 1909, be, and the same are hereby, repealed.

13. This act shall take effect immediately.

FOODSTUFFS—SANITARY REGULATION OF THE MANUFACTURE OF—LAWS OF 1912,
CHAPTER 127, APPROVED MARCH 21, 1912.

1. All buildings or rooms where biscuits, pies, bread, crackers, cakes, macaroni and other foodstuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale, shall be drained and plumbed in a manner that will conduce to the proper and healthful sanitary condition thereof and shall have air shafts, windows, or ventilating pipes sufficient to insure ventilation and sufficient light to prevent any place being operated entirely by artificial light, and all doors, windows, and other openings shall be thoroughly screened so as to prevent the entrance of flies or other insects, between the 1st day of April and the 31st day of October. Expectoration is prohibited within any building or room used for the aforesaid purposes, except into a proper receptacle provided for that purpose. The smoking, snuffing, or chewing of tobacco in any building or room used for aforesaid purposes is prohibited. Plain notices shall be posted in every such place, forbidding any person to use tobacco or spit on the floor of such place. No cellar, basement, or place which is below the street level shall hereafter be used or occupied as a place in which to manufacture or make for the purpose of sale any of the above-mentioned articles, except where the same was used for such purposes on the 4th day of July, 1905: *Provided, however*, That this act shall not prevent the use, for the manufacture of candy, ice cream, or frozen sweets only, of any cellar or basement which shall, after due inspection and examination by representatives of the department of labor, be certified to by the commissioner of labor as sanitary in all respects and proper to be used for such purposes, which certificate may be revoked at any time.

2. Every room used for the purpose of making or manufacturing, for the purpose of sale, any of the articles mentioned in section 1 of this act shall be at least 8 feet in height: *Provided, however*, That this requirement shall not apply to rooms used for the making or manufacturing, for the purpose of sale, of nothing but candy, ice cream, or frozen sweets, but such rooms used for the making or manufacturing for the purpose of sale, of candy, ice cream, or frozen fruits, shall in all cases be at least 7 feet in height, except that any room now used for the making, for the purpose of sale, of nothing but candy, ice cream, or frozen sweets need not be altered to conform with this provision unless so ordered by the commissioner of labor to improve lighting, ventilation, or drainage facilities. Every room used for the purpose of making or manufacturing, for the purpose of sale, any of the articles mentioned in section 1 shall have, if required by the commissioner of labor, an impermeable floor constructed of wood, properly saturated with linseed oil, or of cement, or other suitable material; the side walls of every such room shall be well plastered, wainscoted, or ceiled with metal or lumber, and all interior woodwork in such room shall be kept well oiled or painted with oil paint, and shall be kept in a clean and sanitary condition at all times. The furniture and utensils in all such rooms shall be so arranged that such furniture, utensils, and floor may at all times be kept in a proper and healthful, sanitary, and clean condition. The commissioner of labor shall have the power to order that any such room or rooms shall be cleaned in such manner as he shall direct; no domestic animal except cats shall be allowed to remain in any such room. Every such room or rooms shall be kept clean at all times and free from rats, mice, or vermin, and from all matter of an infectious and contagious disease. No person who has consumption, scrofula, or any venereal disease or any contagious or infectious disease or any communicable or loathsome skin disease shall work in any such room or rooms, and no owner, manager, or person in charge of any such room or rooms shall knowingly require or suffer such a person to be employed in such room or rooms, nor shall any such room or rooms communicate with or have doors communicating directly with a stable or stable yard.

3. Biscuits, pies, bread, crackers, cake, macaroni, and other foodstuffs and confectionery after the same are made or manufactured for the purpose of sale shall be kept in dry and airy rooms; the floors, shelves, pans, trays, and every kind of appliances used for storing the same shall be so arranged that they can be easily and thoroughly cleaned; proper receptacles for holding coal and ashes and covered garbage pails shall be provided by the proprietor for any place where any of said articles are made or manufactured for the purpose of sale. All baked goods on display in the salesrooms must be well protected from flies, dust, and dirt. All vehicles from which any of the articles specified in section 1 are sold shall be kept in a clean condition, and all baskets or other containers in which any of the said articles are conveyed to the streets shall be closely covered in a way to exclude flies, dust, or other sources of contamination.

4. Whoever shall conduct a place where any of the articles specified in section 1 are made or manufactured for the purpose of sale shall provide proper washing facilities, which shall include a sufficient supply of hot water, clean towels, soap, and nail brushes, and shall also provide water-closets separate and apart from the room or rooms in which the manufacture for the purpose of sale of any of the articles specified in section 1 is carried on; no water-closet, earth closet, or privy shall be within or communicate directly with the room in which said articles are made or manufactured. Operatives, employees, clerks, and all persons who handle any of the material from which any of the articles specified in section 1 are made or manufactured for purpose of sale or who handle the finished product, before beginning work and immediately after visiting the toilet or lavatory shall wash their hands and arms thoroughly in clean water. The outer clothing of all operatives while employed in any such room or place shall be made of washable material, shall be kept clean at all times, and shall be worn by such operatives only when at work in any such room or place. The street clothing of any such operatives shall not be kept in any room used for the manufacture of the articles mentioned in section 1 of this act. The commissioner of labor may, in his discretion, order the installation of metal lockers in any such place to be used for the clothing of operatives.

5. Sleeping places for persons employed in any room or place used for the making or manufacturing for the purpose of sale of any of the articles specified in section 1 shall be kept separate from the room or rooms used for the making or manufacturing of any such article, and the commissioner or assistant commissioner or any inspector may inspect such sleeping places, if they are on the same premises as the room used for making or manufacturing for the purpose of sale of any such article, and order them cleaned or changed, in compliance with sanitary principles.

6. The commissioner of labor shall be required to enforce compliance with all the provisions of this act, and for that purpose it shall be his duty to have all places used for the purposes specified in section 1 visited and inspected at least once in three months; and whenever a complaint in writing signed by an employee in any such place or by any officer or representative of any labor union in the county wherein the same is located, shall be received by the said commissioner, stating that any provision of this act is being violated in any such place, it shall be the duty of the said commissioner forthwith to have the said place concerning which the complaint is made visited and inspected. The visits of inspection shall be made in the presence of those then working or employed in said place, and during the usual hours of employment therein. All such places shall be kept at all times in a clean and sanitary condition.

7. No person under the age of 16 years shall be employed or allowed or permitted or required to work in any place where any of the articles mentioned in section 1 are manufactured or made for the purpose of sale, between the hours of 7 o'clock in the afternoon and 7 o'clock of the forenoon following; no employee in any such place shall be required, permitted, or suffered to work in any such place more than 60 hours in any one week or more than 10 hours in any one day, unless for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of 10 hours per day for the whole number of days in which such employee shall so work during such week, but it shall be lawful; in cases of emergency, for an employer to permit any employee to work an additional time, not exceeding two hours per day, such extra work to be remunerated at the rate of weekly wages paid to such employee for his week of 60 hours; no employee in any such place shall be discharged by his employer for having made any truthful statement as a witness in a court, or to the commissioner of labor, assistant commissioner of labor, or any inspector in pursuance of this act, or any act amendatory hereof or supplementary hereto.

8. All notices given under or pursuant to this act, or any act supplementary thereof or amendatory thereto, shall be in writing, signed by the commissioner of labor, and may be served upon the owner or proprietor of the place wherein such violation occurred either by delivering the same to him in person or by sending it to him by

mail at his last known post-office address, with postage prepaid; if his post-office address is not known, then the said notice may be mailed to the address of the place wherein such violation shall have been committed; the notice providing for the doing of any act or the abating of anything forbidden by this act shall fix the time within which such act shall be done or such thing abated, and if the order shall not be obeyed within the time therein fixed the person so failing to obey shall be liable to the penalty herein fixed for the violation hereof.

9. No person or corporation shall hereafter engage or continue in the business of making or manufacturing biscuits, pies, bread, crackers, cakes, macaroni, and other foodstuffs, candy, ice cream, confectionery, or frozen sweets for the purpose of sale, unless he shall first obtain from the commissioner of labor of this State a license so to do. The applicant for any such license shall state in his application the location of the place at which he intends to engage in such business, and such license shall not be issued unless the said commissioner is satisfied that such place conforms to all the requirements of this act. Such license shall specify the place at which such business is authorized to be carried on, and shall not authorize the engaging in such business at any other place. When it shall be made to appear to the said commissioner that any place at which such business is carried on under a license as aforesaid is not kept in accordance with or does not conform to the requirements of this act, or that any provision of this act is being violated therein, said commissioner may, after giving not less than 48 hours' notice in writing, which notice may be served by any representative of the department of labor either personally on the proprietor of such place or by affixing the same on the inside of said place, revoke the license of the person engaging in such business at such place. No person whose license to engage in such business has been revoked shall engage or continue in such business in this State until he has procured a new license in accordance with the terms of this act. Any applicant for any such license shall pay to the commissioner of labor a license fee of \$1, which fee shall be returned to such applicant in case the license is not granted.

10. Any person violating any of the provisions of this act, or any owner or proprietor of any place coming within the provisions of this act who fails to obey any order of this act, shall be liable to a penalty of \$50 for the first offense and \$100 for each subsequent offense. Any person who shall, after conviction for violation of any provision of this act, continue such violation shall be liable to a penalty of \$100.

11. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein, who shall pay the same into the treasury of this State.

12. Any and all penalties prescribed by any of the provisions of this act shall be recovered in an action of debt by and in the name of the commissioner of labor of the State of New Jersey as plaintiff. The pleadings shall conform in all respects to the practice prevailing in the court in which any such action shall be instituted, but no pleading or process shall be set aside or invalidated by reason of any formal or technical defects therein if the same contain a statement of the nature of the alleged violation and of the section of this act alleged to have been violated, and upon the attention of the court being called to any such formal or technical defect the same shall be immediately corrected and the said pleading or process amended as a matter of course, and as to all other defects in pleadings or process the same may be amended, in the discretion of the court, as in any other action or proceeding in said court.

13. When judgment shall be rendered against any defendant other than a body corporate execution shall be issued against his goods and chattels and body without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant in his bailiwick to make the amount of said judgment he shall take the body of the said defendant and deliver him to the keeper of the common jail of said county, there to be detained until discharged by the court in which such judgment was obtained, or by one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs. In case judgment shall be rendered against a body corporate execution shall be issued against the goods and chattels of such body corporate as in other actions of debt.

14. Whenever any person shall violate any of the provisions of this act it shall be lawful for the commissioner of labor, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the court of chancery in the name of the State, at the relation of such commissioner, for an injunction to restrain such violation and for such other or further relief in the premises as the court of chancery shall deem proper, but the filing of such bill, nor any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation.

15. Nothing in this act contained shall be construed to repeal, impair, or in anywise affect the provisions of an act of the legislature of this State, entitled "A further supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof,' approved March 21, 1901," approved April 20, 1906, or the provisions of an act entitled "A supplement to an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (revision of 1907), approved May 20, 1907," approved April 21, 1909, but said acts shall continue in force in all respects the same as if this act had not been passed. Nothing in this act shall be construed to repeal, affect, or in anywise impair the provisions affecting places where biscuits, pies, bread, crackers, cakes, macaroni, and other foodstuffs, confectionery, candy, ice cream, or frozen sweets are manufactured, or any other provisions of an act entitled, "An act regulating the age, employment, safety, health, and work hours of persons, employees, and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March 24, 1904.

16. In case for any reason any section or any provision of this act shall be questioned in any particular and shall be held to be unconstitutional or invalid, the same shall be held to be severable from the other portions of this act and shall not be held to affect any other section or provision of this act.

17. The act of the legislature of this State entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health, and work hours of persons, employees, and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,' approved March 24, 1904," which supplement was approved April 5, 1905, and the acts amending said supplement, approved, respectively, March 29, 1907, and May 1, 1911, are hereby repealed.

18. This act shall take effect immediately.

COMMUNICABLE DISEASES—REPORTING OF CASES OF—LAWS OF 1912, CHAPTER 131,
APPROVED MARCH 21, 1912, SUPPLEMENTING AN ACT APPROVED MARCH 22, 1895.

1. Every physician, superintendent, or other person having control or supervision over any State, county, or municipal hospital, sanatorium, or other public or private institution in which any person suffering from any of the communicable diseases named in the act to which this act is a supplement is received for care or treatment shall, within 24 hours after any such case of sickness has been received into said institution, report such sickness to the secretary or clerk of the local board of health having jurisdiction over the territory in which such institution is located; if the local board of health have designated some other officer to receive such report, then the report shall be made to such designated officer, said report shall be in writing, signed by such physician, superintendent, or other person having charge over said institution, and shall set forth the name, age, color, sex, and nationality of the sick person, and shall also set forth the exact place of residence of the patient or the name of the place from which he was received into the institution, together with the date upon which he was received; and every physician, superintendent, or other person having charge over any State, county, or municipal hospital, sanatorium, or other public or private institution in which any case of communicable disease named in the act to which this act is a supplement is received for care or treatment, who shall fail to perform the above-mentioned duty at the time and in the manner named, shall be liable to a penalty of \$50 for each such failure.

2. Every secretary, clerk, assessor, or other person designated by any local board of health to receive reports of the communicable diseases required to be made by the act to which this act is a supplement, who shall receive any report of such sickness from any physician, superintendent, or other person having charge over any of the institutions referred to in this act, shall, when the sick person referred to in such report resides in some municipality or township other than that in which such institution is located, make a duplicate of any such report received by him and transmit the same within 24 hours after the receipt of the original, by mail, to the officer legally designated to receive such reports in the locality in which the sick person resided before being admitted into such institution; and every secretary, clerk, assessor, or other officer designated to receive such reports who shall fail to perform the above-named duty within the time and in the manner above-named shall be liable to a penalty of \$50.

3. This act shall take effect immediately.